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EXTRAORDINARY

PART II—Section 1

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MINISTRY OF LAW

*New Delhi, the 22nd March 1954*

The following Act of Parliament received the assent of the President on the 18th March, 1954 and is hereby published for general information:—

## THE GOVERNMENT OF PART C STATES (AMENDMENT) ACT, 1954

No. 7 OF 1954

[18th March, 1954]

An Act to amend the Government of Part C States Act, 1951.

BE it enacted by Parliament as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Government of Part C States (Amendment) Act, 1954.

(2) Section 7 shall come into force on the 1st day of April, 1954, but the remaining provisions of this Act shall come into force at once.

2. **Amendment of section 17, Act XLIX of 1951.**—Section 17 of the Government of Part C States Act, 1951 (hereinafter referred to as the principal Act) shall be renumbered as sub-section (1) thereof and—

(a) to sub-section (1) as so renumbered, the words “or of any law made in pursuance of that article” shall be added;

(b) after sub-section (1) as so renumbered, the following sub-sections shall be inserted, namely:—

“(2) If any question arises as to whether a member of the Legislative Assembly of a State has become disqualified for being such a member under the provisions of sub-section (1), the question shall be referred for the decision of the President and his decision shall be final.

(3) Before giving any decision on any such question, the President shall obtain the opinion of the Election Commission and shall act according to such opinion."

**3. Insertion of new section 21A in Act XLIX of 1951.**—After section 21 of the principal Act, the following section shall be inserted, namely:—

"21A. *Exemption of property of the Union from State taxation.*—The property of the Union shall, save in so far as Parliament may by law otherwise provide, be exempted from all taxes imposed by a State or by any authority within a State:

Provided that nothing in this section shall, until Parliament by law otherwise provides, prevent any authority within a State from levying any tax on any property of the Union to which such property was immediately before the commencement of the Constitution liable or treated as liable, so long as that tax continues to be levied in that State."

**4. Amendment of section 22, Act XLIX of 1951.**—To the *Explanation* to section 22 of the principal Act, the following shall be added, namely:—

"or any law made before the 1st day of April, 1952, in relation to any matter with respect to which the Legislative Assembly of the State has power to make laws."

**5. Amendment of section 28, Act XLIX of 1951.**—In section 28 of the principal Act, after clause (b) of sub-section (3), the following clause shall be inserted, namely:—

"(bb) the charges payable in respect of loans advanced to the State from the Consolidated Fund of India including interest, sinking fund charges and redemption charges, and other expenditure connected therewith;"

**6. Insertion of new section 33A in Act XLIX of 1951.**—After section 33 of the principal Act, the following section shall be inserted namely:—

"33A. *Language to be used for Acts, Bills, etc.*—Notwithstanding anything contained in section 33, until Parliament by law otherwise provides, the authoritative texts—

(a) of all Bills to be introduced or amendments thereto to be moved in the Legislative Assembly of a State,

(b) of all Acts passed by the Legislative Assembly of a State, and

(c) of all orders, rules, regulations and bye-laws issued under any law made by the Legislative Assembly of a State,

shall be in the English language:

Provided that where the Legislative Assembly of a State has prescribed any language other than the English language for use in Bills introduced in, or Acts passed by, the Legislative Assembly of the State or in any order, rule, regulation or bye-law issued under any law made by the Legislative Assembly of the State, a translation of the same in the English language

published under the authority of the Chief Commissioner in the Official Gazette shall be deemed to be the authoritative text thereof in the English language."

**7. Amendment of section 39, Act XLIX of 1951.**—In section 39 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

'(1) As from the 1st day of April, 1954, in the case of any of the States of Ajmer, Bhopal, Coorg, Delhi, Himachal Pradesh and Vindhya Pradesh, and as from such date as may be appointed in this behalf by the Central Government by notification in the Official Gazette in the case of any other State, all revenues received in that State by the Government of India or the Chief Commissioner in relation to any matter with respect to which the Legislative Assembly of that State has power to make laws, and all grants made and all loans advanced to that State from the Consolidated Fund of India and all moneys received by that State in repayment of loans shall form one consolidated fund to be entitled "the Consolidated Fund of the State".'

**8. Insertion of new sections 39A and 39B in Act XLIX of 1951.**—After section 39 of the principal Act, the following sections shall be inserted, namely:—

**"39A. Contingency Fund of the State.**—(1) There shall be established a Contingency Fund in the nature of imprest to be entitled "the Contingency Fund of the State" into which shall be paid from and out of the Consolidated Fund of the State such sums as may, from time to time, be determined by law made by the Legislative Assembly of the State; and the said Fund shall be held by the Chief Commissioner to enable advances to be made by him out of such Fund.

(2) No advances shall be made out of the Contingency Fund of the State except for the purposes of meeting unforeseen expenditure pending authorisation of such expenditure by the Legislative Assembly of the State under appropriations made by law.

(3) The Chief Commissioner may make rules regulating all matters connected with or ancillary to the custody of, the payment of moneys into, and the withdrawal of moneys from, the Contingency Fund of the State.

**39B. Audit reports.**—The reports of the Comptroller and Auditor-General of India relating to the accounts of a State where a Legislative Assembly has been established under section 3 shall be submitted to the Chief Commissioner, who shall cause them to be laid before the Legislative Assembly of the State."

G. R. RAJAGOPAL,

*Joint Secy. & Draftsman to the Govt. of India.*

